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COMMENTS: The following is a copy of amended claim 41 for your review.

OF PAGES: 2
(INCLUDING COVER SHEET)

Art Unit: 3724

-- 41. (Twice amended) A bone plate cutting assembly for shearing by transverse forces a bone plate having a non-circular cross-section and a longitudinal axis, comprising:

a first shearing element comprising

a handle for manipulation of the first shearing element; and

a first head attached to the handle and having a front face, a back face, and at least one outer surface, the first head being a unitary member having a first slot through the front and back faces and extending from the outer surface towards an interior of the first head, the first slot extending across substantially [about] one-half the back face; and

a second shearing element comprising

a handle for manipulation of the second shearing element; and

a second head attached to the handle and having a front face, a back face, and at least one outer surface, the second head being a unitary member having a second slot through the front and back faces and extending from the outer surface towards an interior of the second head;

wherein the first and second slots each define a set of opposing surfaces [faces] and at least one opposing surface [face] of each set of opposing surfaces [faces] intersects the back face of the shearing element to form a bevelled cutting edge, and wherein rotation of the first and second heads counter to one another about an axis of rotation with the heads directly touching each other at the cutting edges applies a torsional shearing force on the bone plate and the axis of rotation is selectively located within the first slot.--.